

AMENDED IN SENATE SEPTEMBER 3, 2013

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY MARCH 11, 2013

AMENDED IN ASSEMBLY JANUARY 31, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 13

Introduced by Assembly Members Chávez and Quirk-Silva

(Principal coauthor: Senator Block)

(Coauthors: Assembly Members Grove, Melendez, and Wilk)

(Coauthors: Senators Correa, Hueso, Huff, and Wyland)

December 3, 2012

An act to amend Section 68075.5 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 13, as amended, Chávez. Nonresident tuition exemption: veterans.

Under existing law, the segments of the public postsecondary education system in the state include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges.

Existing law exempts a *community college* student who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from paying nonresident tuition, as specified: *tuition for up to one year if he*

or she files an affidavit with the community college stating that he or she intends to establish residency in California as soon as possible, if that student uses this exemption within 2 years of being discharged. Existing law prohibits a former member of the Armed Forces who received a dishonorable or bad conduct discharge from receiving this exemption.

Existing law provides that the statutory provisions relating to student residency requirements for public postsecondary education apply to the University of California only to the extent that the regents act, by resolution, to make these provisions applicable.

This bill would make this one-year exemption from payment of nonresident tuition applicable to a student enrolled, or intending to enroll, at a campus of the California Community Colleges, or as an undergraduate at a campus of the California State University, who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged if he or she files an affidavit with the institution at which he or she is enrolled, or intends to enroll, stating that he or she intends to establish residency in California as soon as possible, and uses this exemption within 2 years of being discharged.

The bill would request the regents to enact regulations and procedures that exempt from nonresident tuition students of that university who meet the requirements applicable to students of the California Community Colleges and the California State University for the exemption in the bill.

~~This bill would eliminate the requirement that a student be stationed in this state to receive that exemption, and would require the student to be discharged or released from active duty within the immediately prior year in order to receive the exemption. To the extent the bill would require community college districts to exempt more students from nonresident tuition, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 68075.5 of the Education Code is
2 amended to read:

3 68075.5. (a) Except as provided in subdivision (b) or (c), a
4 student *of the California Community Colleges or the California*
5 *State University* who was a member of the Armed Forces of the
6 United States, ~~who was discharged or released from active duty~~
7 ~~within the immediately prior year, States stationed in this state on~~
8 *active duty for more than one year immediately prior to being*
9 *discharged* shall be exempt from paying nonresident tuition for
10 the length of time he or she lives in this state after being discharged
11 ~~or released from active duty~~ up to the minimum time necessary to
12 become a resident.

13 (b) (1) Except as provided in subdivision (c), a ~~community~~
14 ~~college~~ student *enrolled, or intending to enroll, at a campus of the*
15 *California Community Colleges, or as an undergraduate at a*
16 *campus of the California State University*, who was a member of
17 the Armed Forces of the United States, ~~who was discharged or~~
18 ~~released from active duty within the immediately prior year, States~~
19 *stationed in this state on active duty for more than one year*
20 *immediately prior to being discharged* shall be exempt from paying
21 nonresident tuition for up to one year if he or she files an affidavit
22 with the ~~community college~~ *institution at which he or she is*
23 *enrolled, or intends to enroll*, stating that he or she intends to
24 establish residency in California as soon as possible.

25 (2) The one-year exemption provided in paragraph (1) shall be
26 ~~used while by the student lives in this state and~~ within two years
27 ~~of being discharged or released from active duty: discharged.~~

28 (c) A former member of the Armed Forces of the United States
29 who received a dishonorable or bad conduct discharge shall not
30 be eligible for an exemption pursuant to this section.

31 SEC. 2. *The Legislature requests the Regents of the University*
32 *of California to enact, pursuant to Section 68134 of the Education*
33 *Code, a resolution that exempts from nonresident tuition students*
34 *of that university who meet the requirements applicable to students*
35 *of the California Community Colleges and the California State*

1 *University for the exemption under Section 68075.5 of the*
2 *Education Code.*

3 ~~SEC. 2. If the Commission on State Mandates determines that~~
4 ~~this act contains costs mandated by the state, reimbursement to~~
5 ~~local agencies and school districts for those costs shall be made~~
6 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
7 ~~4 of Title 2 of the Government Code.~~